

Note: All changes are highlighted. Deleted language is struck through, Added language is italicized

DIVISION 1. Adoption of Building Code with Amendments

Sec. 8-1. International Building Code adopted.

There is hereby adopted, by reference, by the city for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, location, operation, alteration, repair, maintenance, use and occupancy of all buildings and structures within the city and certain equipment specifically regulated therein, that certain building code known as the International Building Code, promulgated and published by the International Code Council, being particularly the 2003 edition *including Appendix H but* not including any *other* appendices thereto *and* except as *further* amended in this article of the Salina Code not fewer than three (3) copies have been, and are now filed in the office of the city clerk and the same are hereby incorporated as fully as if set out at length herein and the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the city.

State law references: Authority to incorporate standard codes by reference, K.S.A. 12-3009 et seq.

Sec. 8-2. Amendment of Section 101.2 of the International Building Code.

[Section 101.2 and all of its subsections of the International Building Code are hereby amended to read as follows:]

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure, or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.

~~2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the *International Existing Building Code*.~~
Exception 2 is hereby deleted.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

Sec. 8-3. Amendment of Section 101.4 of the International Building Code.

[Section 101.4 and all of its subsections of the International Building Code are hereby amended to read as follows:]

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. *Each reference to the International Electric Code shall mean the National Electric Code.*

101.4.2 Gas. *Each reference to the International Fuel Gas Code shall mean the Uniform Plumbing Code.*

101.4.3 Mechanical. Each reference to the International Mechanical Code shall mean the Uniform Mechanical Code.

101.4.4 Plumbing. Each reference to the International Plumbing Code shall mean the Uniform Plumbing Code. Each reference to the International Private Sewage Disposal Code shall mean the Uniform Plumbing Code.

101.4.5 ~~Property maintenance.~~ Deleted

101.4.6 Fire prevention. The provisions of the International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 ~~Energy.~~ Deleted

Sec. 8-4. Amendment of Section 102.6 of the International Building Code.

[Section 102.6 of the International Building Code is hereby amended to read as follows:]

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, ~~the International Property Maintenance Code Chapter 18 of the Salina Municipal Code~~ or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

Sec. 8-5. Amendment of Section 103.1 of the International Building Code.

[Section 103.1 of the International Building Code is hereby amended to read as follows:]

103.1 ~~Creation~~ Designation of enforcement agency. The Department of ~~Building Safety Development Services Division of Building Services~~ is hereby ~~created~~ designated as the enforcement agency for this code and the official in charge thereof shall be known as the Building Official.

Sec. 8-6. Amendment of Section 103.3 of the International Building Code.

[Section 103.3 of the International Building Code is hereby amended to read as follows:]

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. ~~For the maintenance of existing properties, see the International Property Maintenance Code.~~

Sec. 8-7. Amendment of Section 105.1 of the International Building Code.

[Section 105.1 and all of its subsections of the International Building Code are hereby amended to read as follows:]

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building ~~or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of~~ which is regulated by this code, or to cause any such

work to be done, shall first make application to the building official and obtain the required permit.

~~105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit. Deleted~~

~~105.1.2 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated. Deleted~~

Sec. 8-8. Amendment of Section 105.2 of the International Building Code.

[Section 105.2 of the International Building Code is hereby amended to read as follows:]

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

- **Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks and driveways, **platforms and uncovered decks** not more than 30 inches (762 mm) above grade and not over any basement or story below **and which are not part of an accessible route.**
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.
13. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. **Roof coverings not involving structural components.**
15. **Installation of replacement windows not requiring wall or structural changes, however the lack of a requirement for a permit does not allow the installation of windows smaller than required for light, ventilation or egress.**
16. **Installation of exterior siding.**

- ~~Electrical:~~

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for power supply, the installations of towers and antennas.

3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part which does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Sec. 8-9. Amendment of Section 108.2 of the International Building Code.

[Section 108.2 of the International Building Code is hereby amended to read as follows:]

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be as set forth in the fee schedule adopted pursuant to section 2-2 of the Salina Code of Ordinances.

Sec. 8-10. Amendment of Section 108.3 of the International Building Code.

[Section 108.3 of the International Building Code is hereby amended to read as follows:]

108.3 Building permit valuations. The applicant for a permit for alterations or renovations shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is

underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

- Additional fees will not be charged for electrical, plumbing, mechanical and concrete permits issued in conjunction with a building permit.

- Additional plan review fees will not be charged.

- All fees owed will be rounded down to the nearest dollar.

Sec. 8-11. Amendment of Section 109.3.7 of the International Building Code.

Section 109.3.7 of the International Building Code is hereby deleted in its entirety

~~**109.3.7 Energy efficiency inspections.** Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation *R* and *U* values, fenestration *U* value, duct system *R* value, and HVAC and water heating equipment efficiency.~~

Sec. 8-12. Amendment of Section 112 of the International Building Code.

[Section 112 and all of its subsections of the International Building Code are hereby amended to read as follows:]

112.1 General. ~~In order to~~ *The Building Advisory Board* shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, ~~there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~ *See Article II, Chapter 8 of Salina Municipal Code*

112.2 Limitations on authority. ~~An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~ *Deleted*

112.3 Qualifications. ~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~ *Deleted*

Sec. 8-12.1 Amendment of Section 311.1 of the International Building Code.

[Section 311.1 of the International Building Code is hereby amended to read as follows:]

311.1 Storage Group S. Storage Group S occupancy includes, among others, the use of a building or structure, or a portion thereof, for storage that is not classified as a hazardous occupancy. *Floors in S-1 and S-2 occupancies that are accessible to motor vehicle traffic must comply with section 406.2.6 of this code.*

Sec. 8-12.2 Amendment of Section 406.2.6 of the International Building Code.

[Section 406.2.6 of the International Building Code is hereby amended to read as follows:]

406.2.6 Floor surface. *Parking Floor* surfaces *accessible to motor vehicles* shall be of concrete or similar noncombustible and nonabsorbent materials.

Exception: Asphalt parking surfaces are permitted at ground level.

~~The area of floor used for parking of automobiles or other vehicles shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway.~~

Sec. 8-12.3. Amendment of Section 406.3.2 of the International Building Code.

[Section 406.3.2 of the International Building Code is hereby amended to read as follows:]

406.3.2 Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

MECHANICAL-ACCESS OPEN PARKING GARAGES.

Open parking garages employing parking machines, lifts, elevators or other mechanical devices for vehicles moving from and to street level and in which public occupancy is prohibited above the street level.

OPEN PARKING GARAGE. A structure or portion of a structure *as described in Section 406.3.4* with the openings as described in Section 406.3.3.1 on two or more sides that is used for the parking or storage of private motor vehicles *as described in Section 406.3.4., except that single story structures that have openings as described in Section 406.3.3.1 on two or more sides but do not have floors that comply with section 406.2.6 and are used solely for the storage of motor vehicles other than tractor trucks or commercial buses shall not be defined as an open parking garage, but shall be defined as an open building for the storage of motor vehicles and shall conform to the requirements as prescribed in Section 406.7.*

RAMP-ACCESS OPEN PARKING GARAGES.

Open parking garages employing a series of continuously rising floors or a series of interconnecting ramps between floors permitting the movement of vehicles under their own power from and to the street level.

Sec. 8-12.4. Amendment of Section 406 of the International Building Code.

[Section 406.7 and subsections 406.7.1 through 406.7.3 there hereby added to the International Building Code and reads as follows:]

406.7 Open Buildings for Motor Vehicle Storage.

406.7.1 Occupancy classification. *Buildings regulated by this section shall be classified as S-1 occupancies and shall be subject to all of the requirements for that use.*

406.7.2 Mixed use. *Buildings regulated by this section shall not be combined with any other use, except an office accessory to the motor vehicle storage building not exceeding 10 percent of the total floor area of the building may be permitted as an accessory use, provided it is separated by a 1-hour rated fire wall.*

406.7.3 Floor surface. *Floor surfaces in open buildings used for motor vehicle storage shall be of approved noncombustible, non-dust generating all-weather materials such as asphalt millings, gravel or crushed stone.*

Sec. 8-12.5. Amendment of Section 903.2.9 of the International Building Code.

[Section 903.2.9 and its subsections of the International Building Code is hereby amended to read as follows:]

903.2.9 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages *in accordance with Section 406.4 where one of the following conditions exists:*

- 1. the fire area exceeds 12,000 square feet,*
- 2. where located beneath other groups.*

Exception: Enclosed parking garages located beneath Group R-3 occupancies as applicable in Section 101.2.

903.2.9.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).

Sec. 8-13. Amendment of Chapter 11 of the International Building Code.

[The entire text of Chapter 11 of the International Building Code is hereby deleted and amended to read as follows:]

Buildings or portions of buildings shall be accessible to persons with disabilities as required by the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and K.S.A. 58-1304.

Sec. 8-14. Amendment of Section 1203.1 of the International Building Code.

[Section 1203.1 of the International Building Code is hereby amended to read as follows:]

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1202.4, or mechanical ventilation in accordance with Division I of Appendix Chapter 12 of the *International Mechanical Code* 1997 Uniform Building Code as published by the International Conference of Building Officials, which is hereby adopted by reference.

1203.1.1 Alternate Ventilation. ASHRAE 62-2001, Ventilation for Acceptable Indoor Air Quality, is a recognized standard for mechanical ventilation design.

Sec. 8-15. Chapter 13 of the International Building Code.

Chapter 13 is hereby deleted in its entirety.

Sec. 8-16. Amendment of Section 1805.2 of the International Building Code.

[Section 1805.2 of the International Building Code is hereby amended to read as follows:]

1805.2 Depth of footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm). Where applicable, the depth of footings shall also conform to Sections 1805.2.1 through 1805.2.3.

Exception: A one-story wood or metal frame building not used for human occupancy and not over 200 square feet may be constructed with walls supported on wood foundation plates laid directly on the ground when approved by the building official.

Sec. 8-17. Amendment of Section 3109.4 of the International Building Code.

[Section 3109.4 and all of its subsections of the International Building Code is hereby deleted in its entirety and is hereby amended to read as follows:]

3109.4 Residential swimming pools. Residential swimming pools shall comply with Appendix G of the 2003 International Residential Code.

Sec. 8-18. Amendment of Section 3303.4 of the International Building Code.

[Section 3303.4 of the International Building Code is hereby amended to read as follows:]

3303.4 Vacant lot. Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the ordinances of the jurisdiction having authority. *following conditions shall be met:*

1. The premises left vacant by removal or demolition shall be cleared of all trash, debris, junk and discarded building material;
2. All foundations and slab floors shall be removed to at least one foot below ground level, unless another building or other structure is to be re-erected immediately upon the foundation as specified in the application for the permit;
3. All open wells, cisterns, cellars, basements or other excavations remaining on said lot shall be filled and compacted to prevent the accumulation of water, unless the same are to be used immediately with another structure to be erected thereon.

Sec. 8-19. Amendment of Section 3409 of the International Building Code.

[Section 3409 of the International Building Code is hereby amended to read as follows:]

Buildings or portions of buildings shall be accessible to persons with disabilities as required by the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Sec. 8-20. Amendment of Section H101.2 of the International Building Code.

[Section H101.2 of the International Building Code is hereby amended to read as follows:]

H101.2 Signs ~~exempt from permits.~~ *Permits for signs shall be as required by Article VI, Chapter 8 of the Salina Municipal Code of Ordinances.*

~~The following signs are exempt from the requirements to obtain a permit before erection:~~

- ~~1. Painted nonilluminated signs.~~
- ~~2. Temporary signs announcing the sale or rent of property.~~
- ~~3. Signs erected by transportation authorities.~~
- ~~4. Projecting signs not exceeding 2.5 square feet (0.23 m²).~~
- ~~5. The changing of moveable parts of an approved sign that is designed for such changes, or the repainting or repositioning of display matter shall not be deemed an alteration.~~

Sec. 8-21. Amendment of Section H105.2 of the International Building Code.

[Section H105.2 of the International Building Code is hereby amended to read as follows:]

H105.2 Permits, drawings and specifications. Where a permit is required, as provided in ~~Chapter 4~~ *Article VI, Chapter 8 of the Salina Municipal Code of Ordinances*, construction documents shall be required. These documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.

Sec. 8-22. Amendment of Section 903.2.7 of the International Building Code.

[Section 903.2.7 of the International Building Code is hereby amended to read as follows:]

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: *Unless required by some other provision of this code, an automatic sprinkler system shall not be required in detached Group R-2 buildings having 6 dwelling units or less where such buildings, do not have basements and are not more than one story in height, and provided that such buildings do not exceed 5,000 square feet (372 m²) in area.*

Sec. 8-23. Amendment of Section 2902.1 of the International Building Code.

[Section 2902.1 of the International Building Code is hereby amended to read as follows:]

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1 Types of occupancies not shown in Table 2902.1 shall be considered individually by the building official. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3.

Exceptions:

1. *Substitution for water closets. In each bathroom or toilet room, urinals shall not be substituted for more than 67 percent of the required water closets.*
2. *For the purposes of satisfying the requirements of the building code, water fountains and/or service sinks shall not be required in any occupancy.*